

ORIGINAL

IN THE SUPREME COURT OF OHIO

DIALYSIS CLINIC, INC.,

Case No. 2009-2310

Appellant,

-vs-

WILLIAM W. WILKINS
[RICHARD A. LEVIN],
TAX COMMISSIONER OF OHIO,

On Appeal from the Ohio Board of Tax
Appeals

Appellee.

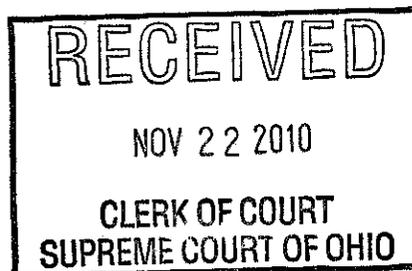
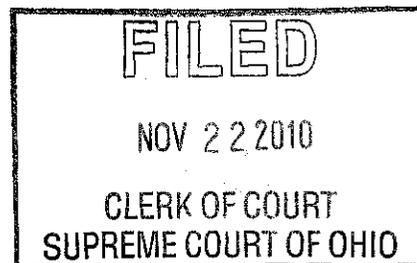
APPELLANT'S MEMORANDUM IN OPPOSITION
TO MOTION TO STRIKE

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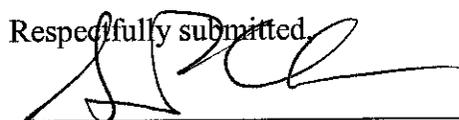


MEMORANDUM IN OPPOSITION

Now comes Appellant Dialysis Clinic, Inc. (“DCI”) and, in response to Motion to Strike Motion for Reconsideration of *Amici Curiae*, Ohio School Boards Association, Ohio Association of School Business Officials, Buckeye Association of School Administrators, Ohio Job and Family Services Directors Association, County Commissioners Association of Ohio, Ohio Association of County Behavioral Health Authorities, The Municipal League, Ohio Fire Chiefs Association, Ohio Parks and Recreation Association, Ohio Township Association, and Ohio Library Council on behalf of Tax Commissioner (“Commissioner’s Amici Curiae”), states as follows:

As certified in its Motion for Reconsideration, DCI’s counsel sent a copy of its Motion for Reconsideration by regular U.S. mail to counsel for the Commissioner’s Amici Curiae. Accordingly, DCI objects to the motion to strike, as DCI did not violate S.Ct.Prac.R. 14.2. DCI does not oppose the Commissioner’s Amici Curiae’s request for additional time to respond to DCI’s Motion for Reconsideration. Contemporaneous with this Memorandum in Opposition, DCI will provide Commissioner’s Amici Curiae with another copy of DCI’s Motion for Reconsideration.

Respectfully submitted,



Sean P. Callan, COUNSEL OF RECORD

COUNSEL FOR APPELLANT DIALYSIS
CLINIC, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been duly served upon the following by regular U.S. mail postage pre-paid this 19th day of November, 2010:

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I also certify that copies of the foregoing have been sent by regular U.S. mail to counsel for amici curie:

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